

Before the
Federal Communications Commission
Washington, DC

In the Matter of)	
)	
Creation of a)	
Low Power Radio Service)	MM Docket No. 99-25
)	
)	

REPLY COMMENTS OF
THE NATIONAL TRANSLATOR ASSOCIATION

The National Translator Association (NTA) is dedicated to the preservation of free over-the-air Digital Television Translators and FM Translators Radio Service in all geographical areas within the United States. NTA works to improve the technology of rebroadcast translators and the regulatory climate, which governs them. NTA's membership consists of translator owners, operators and technical staff and is open to all individuals and organizations that are interested.

NTA here presents brief reply comments.

§73.827(a)

The National Translator Association strongly supports the protection of FM Translator inputs from interference from all services and all sources. In their Petition for Reconsideration concerning Creation of a Low-Power Radio Service¹, Prometheus asked,

“[Prometheus] ask the Commission to address whether §73.827(a) applies to LPFM stations which are third-adjacent to a translator which is feeding a terrestrial signal to another translator, and if so, to clarify the language of the rule accordingly.”²

NTA interprets the Local Community Radio Act of 2010³ (LCRA) to apply to LPFM service and all sources; with respects to the protection of translator receiver inputs. Since Part §73.827(a) is only meant to deal with Low Power FM, it would makes sense that this section of the rules would apply to only Low-Power FM. While this particular rule only deals with third adjacent stations, in fact, the NTA supports protection from all sources of interference including but not limited to co-channel, first adjacent, second adjacent and third adjacent stations to the receive inputs of an FM Translator.

NTA interpret §73.827(a) to apply to the signal source and it's location that would be feeding the input of the receiver of a FM Translator. In general, we see no need for the Commission to protect the receiver input from the third adjacent channel of the translators transmitter output itself. We do feel that it is necessary to protect the third adjacent channel of a feeding translator or other source to a translator's receiver input.

The Notice of Proposed Rulemaking states-

“an LPFM applicant may show that the ratio of the signal strength of the LPFM (undesired) proposal to the signal strength of the FM (desired) station is below 34 dB *at all locations*.”⁴

¹ Federal Communications Commission - Docket MM 99-25

² Prometheus - Creation of a Low-Power Radio Service - Petition for Reconsideration – February 8, 2013 - ¶12.

³ See Local Community Radio Act 2010, Pub. L. No. 111-371, 124 Stat. 4072 (2011)

⁴ MM 99-25 Federal Communications Commission Sixth Report and Order on Creation of a Low-Power Radio Service at ¶129. Also see § 73.827(a)(1). [The restrictions on LPFM applications near translator inputs in § 73.827(a) will not apply if the LPFM applicant] “demonstrates that no actual interference will occur due to an undesired (LPFM) to desired (primary station) ratio below 34 dB at all locations.”

We agree with Prometheus and others that the term ‘all locations’ should refer to a single point which would be the receiver’s input feeding the translator.

§ 73.827(b)

The National Translator Association also recommends revising § 73.827(b), which states:

“An authorized LPFM station will not be permitted to continue to operate if an FM translator or FM booster station demonstrates that the LPFM station is causing actual interference to the FM booster station’s input signal, provided that the same input signal was in use at the time the LPFM station was authorized.”

NTA strongly supports allowing FM Translators to change receiver input sources as needed, at anytime. Allowing receivers to change input sources to a translator, allows the best possible service to the public. § 73.827(b) needs to allow free selection of input signals to a receiver. LCRA mandates the protection of those inputs.

Prometheus states –

“As currently written, §73.827(b) would allow translator operators to modify their input signal at any time before the authorization of a proposed LPFM station, potentially rendering the LPFM applicant ineligible long after an application has been filed.”⁵

NTA would propose that in LPFM should be allowed to be displaced to a new frequency on FM band with respects to the case above. Even though Prometheus argues that this would be an inconvenience to the LPFM applicant, it seems to be the best solution overall. The alternative would be that the FM Translator could have no other choice but to cease broadcasting due to the lack of an available interference free receiver input signal.

⁵ Id 2 at ¶12

NTA agree with Prometheus and others that there should be no difference in the distinction between FM Translators and FM Boosters § 73.827(b). Thus, NTA supports revising § 73.827(b) to read as –

An authorized LPFM station will not be permitted to continue to operate if an FM translator or FM booster station demonstrates that the LPFM station is causing actual interference to the FM translator or FM booster station's input signal.

Prometheus goes on to argue –

“..[Prometheus] ask that the Commission modify this rule to require that the input signal be in use ‘prior to the release of the public notice announcing an LPFM application window period,’”⁶

NTA feels that such modifications are not in the public interest and would potentially burden FM Translators by not allowing protection to its input signal as mandated by LCRA. With the congestion in the FM band today, FM Translators need the ability to change receiver inputs as needed. NTA suggest that a better approach would be to protect the translators ability to change its receiver inputs until such time as there is a freeze of the FCC - Consolidated Database System (CDBS) for a filing window. NTA would also recommend that such a freeze last more than 30 days.

FCC - Consolidated Database System and Receiver Inputs

The National Translator Association agrees with Prometheus and others that FCC - Consolidated Database System (CDBS) needs to accurately reflect the receiver inputs of all translators before an LPFM filing window can proceed forward. LPFM applicants, as will as the public, will need to know how translators are being fed in order to protect FM Translator receiver inputs. NTA asks that the Commission to modify CDBS to allow for current translator owners and future translator applicants to be able to enter and modify entries within CDBS reflecting FM Translator receiver inputs, frequency, sources and locations. NTA feels it is necessary for the Commission to address this step and to

⁶ Id 2 at ¶14

inquire of all current translator licensees to submit current and up-to-date data reflecting how FM Translators receivers are currently being fed.

Power and Directionality

The Commission has required FM Translator applications modification and applications for new FM Translators to treat LPFM stations operating at lower power or [with] directional antennas, [to be considered] as operating with non-directional antennas at their authorized power.⁷

For all purposes, the National Translator Association recommends that the Commission treat both FM Translators and LPFM stations in the manner as they are built with correct Effective Rated Power and correct antenna patterns. We also note that LPFM stations are not allowed to employ directional antenna transmission techniques. With the simplicity of LPFM stations, NTA supports the use of non-directional antennas by LPFMs.

⁷ MM 99-25 Federal Communications Commission Sixth Report and Order on Creation of a Low-Power Radio Service at ¶ 80

Conclusion

The Local Community Radio Act of 2010 mandated that both FM Translators and LPFM stations be treated as equals. The National Translator Association encourages and supports Low Power FM stations, but not at the expense of the FM Translator industry. NTA would submit that there needs to be a rewrite of the technical rules between the two services to make them equal. NTA also feels it's necessary to have common filing windows in the future and to limit the number of outstanding construction permits that a single applicant can hold for any service.

Respectfully submitted,

NATIONAL TRANSLATOR ASSOCIATION

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March 21, 2013